



- WORK NOTES -

ADMINISTRATIVE  
RECORD

EPA O&M Meeting – 2<sup>nd</sup> meeting  
March 10, 2004  
Venture Fireside Room

The Operations and Maintenance Team members present: Ron Anderson, Jim Christiansen, Craig French, Sandra Johnson, Charlene Leckrone, Alan Stringer, Clint Taylor, Dan Thede and Wendy Thomi. Facilitator: Sandy Matheny

**AGENDA**

1. Check for Additional Guidelines, Ground Rules
2. Discuss Clean-up Completion letter
3. Clarify and discuss Renter's disclosure problem/process

**Operating Guidelines**

- The overall purpose of the group is to generate and thoroughly discuss ideas
- Focus will be on what *will or could be*, not on what *was or should have been*
- Make this creative, fun
- Look for several "right" answers
- Common rules of Courtesy apply
  - On time – starting and ending
  - Air time respected
  - Listening to hear
  - Honesty with Tact

**Three guidelines were added:**

- Keep in mind the "general public" in all our discussions – What information needs to be transferred, to who and how?
- Bring in expertise as needed.
- We will respond to the media from our own points of view, keeping in mind those may differ from other members at the table. In general, Wendy and Jim will handle requests from and responsibilities to the media.

Guidelines are not yet determined for working with guests.

**Completion Letter Discussion**

Jim provided a draft letter for comment. He will incorporate feedback and email revisions out for review and summary at the next session. A procedural/policy item: Who will have access to what data and how will it be accessed?

### **Renter's Disclosure Process/Policy Discussion**

The problem defined: Renters are not being notified, and hence, they are not protected.

Ensuing discussion covered several facets of the problem:

- Enforcement? Who brings action?
- Who issues the advisory, if any? ("This property is located in the Libby Superfund Site. Contact EPA @ \_\_\_\_\_")?
- Is the onus on the landlord, renter, county, city?
- What is the liability?
- County's Landlord/Tenant Act may assist us. In general: 'known conditions'?
- What about welfare housing recipients? Health Board?
- Whatever happens, it needs to be systematic (e.g. advance notice before rental agreement is signed.)

### **NEXT MEETING**

**April 7<sup>th</sup>, 7:00 am – 9:00 am in the Fireside Room at the Venture.**

#### **Agenda:**

- The Completion Letter – Come prepared with feedback on Jim's re-write
  - Renter's Process/Policy – the property management/realtors will join us for further discussion.
  - Begin discussion addressing: "What do I do if I bump into the stuff?"
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**TO STAY ON TRACK: Following are the issues we listed at the 1<sup>st</sup> meeting.**

#### **Short Term Issues**

1. System for Renters – (Association of Landlords? Disclosure if you sign a lease? Transaction process for buyers is basically in place)
2. EPA's Cleanup Completion Letter can assist in property transfers. What can/should the letter say about:
  - Material left in the home?
  - If it's not known whether material is left in the home?
  - The form of vermiculite remaining?

EPA is drafting a letter for the group to discuss.

3. What to do if you 'bump' into vermiculite? (e.g. Gas stations, new sewer lines, boat ramp, new construction, etc. ) The response to this while EPA is here is easier, later on is the key. Who is in charge later? How much is discovered and what is acceptable? How is this regulated? Local ordinance?
4. How do I live with this stuff right now? How do we deal with dust, remodeling, demolition, and transportation issues. Need simple and practical responses. What are acceptable levels and what becomes the long-term answers?
5. Demolition – This is a short term and a long term issue. How do I stay safe and legal? What about when the structure burns down. What is "allowed"? Non-detect? Air testing costs? Certified inspector costs?
6. HEPA Vacuum Program – Need to discuss thoughts, changes, suggestions.
7. Tracking costs for later use.
8. Remodeling issues.

### **Long Term Issues**

1. Ensure capacity of the Asbestos cell.
2. Management of the asbestos cell in perpetuity (ground water containment, etc.) State will have to make assurances. Tripartite agreements are often used.
3. New discoveries of contamination. What mechanisms are in place? Level of response? Who makes the determination? Participation by State, County, Cities, Grace?
4. Documenting contamination EPA leaves behind. (A property-specific GIS database is being kept. Historical tracks of what's been done – a sort of "Go To" database for fires, remodeling, etc.).
5. Design a program for what to do with it. (And what if I'm doing it myself?)

And.... So we don't lose these thoughts:

There was general discussion regarding O&M complications with Libby site. Land use restrictions, institutional controls, local ordinances, access restrictions, containment structure management. Who funds, who oversees, when does the State become responsible, assurances, 10% match requirements, recoverable costs?